

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF No. 4977

(Jointly Administered)

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**NOTICE OF PRESENTMENT OF ORDER EXTENDING TIME TO ASSUME OR
REJECT ADDITIONAL UNEXPIRED LEASES OF NONRESIDENTIAL REAL
PROPERTY PURSUANT TO BANKRUPTCY CODE SECTION 365(d)(4)**

PLEASE TAKE NOTICE THAT, on January 29, 2019, the Court entered the *Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [ECF No. 4977] (the “Extension Order”) extending the deadline for the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Sales Tax Financing Corporation (“COFINA”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Electric Power Authority (“PREPA,” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) to

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

assume or reject certain unexpired leases of nonresidential real property pursuant to 11 U.S.C. § 365(d)(4) to the earlier of (i) January 1, 2020, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment is confirmed for each Debtor, without prejudice to (x) the Debtors' right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii), or (y) the right of any party in interest to object to such requested extensions.

PLEASE TAKE FURTHER NOTICE THAT the Extension Order provides that the Debtors may submit further orders with respect to additional landlords who have consented or may in the future consent to an extension of the Debtors' deadline to assume or reject unexpired leases of nonresidential real property ("Real Property Leases") pursuant to Bankruptcy Code section 365(d)(4) until seven (7) days prior to the expiration of each Debtor's respective deadline in accordance with the presentment procedures set forth in the *Eighth Amended Notice, Case Management and Administrative Procedures* [ECF No. 4866-1].

PLEASE TAKE FURTHER NOTICE THAT, the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as the representative of the Debtors, hereby presents the *Order Extending Time to Assume or Reject Additional Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* (the "Proposed Order") to the Honorable Laura Taylor Swain, United States District Judge, sitting in the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, Office 150, San Juan, P.R. 00918-1767 for signature on **March 18, 2019**.

PLEASE TAKE FURTHER NOTICE that the Proposed Order is attached hereto as **Exhibit 1**.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Proposed Order is filed with the Court in accordance with the *Eighth Amended Notice, Case Management and Administrative Procedures* [ECF No. 4866-1] by **5:00 p.m. (AST) on March 17, 2019**, no hearing will be held and the Proposed Order may be approved by this Court.

PLEASE TAKE FURTHER NOTICE that copies of the Proposed Order and all documents filed in the Title III cases are available (a) free of charge by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

Dated: March 11, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Paul. V. Possinger

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Exhibit 1

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹
-----X

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF No. 1518, 4977, _____
(Jointly Administered)

**ORDER EXTENDING TIME TO ASSUME OR REJECT ADDITIONAL
UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY
PURSUANT TO BANKRUPTCY CODE SECTION 365(d)(4)**

Upon the Debtors' *Motion for Entry of Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [ECF No. 1518] (the "Motion"),² and the *Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [ECF No. 4977], and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue is proper pursuant to PROMESA section 307(a); and the Court having found that the extension of deadlines set forth

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² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion.

herein is appropriate, and the relief requested is in the best interests of the Debtors, their creditors, and other parties in interest, it is **HEREBY ORDERED THAT:**

1. Attached hereto as **Exhibit A** is a list of additional landlords that have consented to an extension of the deadline of the time for the Debtors to assume or reject the Real Property Leases listed on Exhibit A until the earlier of (i) January 1, 2020, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment is confirmed for each Debtor, without prejudice to (x) the Debtors' right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii), or (y) the right of any party in interest to object to such requested extensions.³

2. The Debtors may submit further orders on the Motion with respect to additional landlords who have consented or may in the future consent to an extension of the Debtors' deadline to assume or reject Real Property Leases under Bankruptcy Code section 365(d)(4) until seven days prior to the expiration of each Debtor's respective deadline in accordance with the presentment procedures set forth in the *Eighth Amended Notice, Case Management and Administrative Procedures* [ECF No. 4866-1].

3. Nothing in the Motion or this Order shall be deemed or construed as (i) an assumption or rejection of any agreement, contract, or lease pursuant to Bankruptcy Code section 365, or (ii) an admission with respect to whether any of the Debtors' contracts or leases is an unexpired lease of nonresidential real property within the meaning of Bankruptcy Code section 365(d). The relief granted by this Order shall not affect the Debtors' rights to assume, assume and assign, or reject any Real Property Leases.

³ For the avoidance of doubt, the deadline to assume or reject unexpired leases of nonresidential real property under which the Puerto Rico Public Buildings Authority is the lessor is governed by a separate order [ECF No. 4114].

4. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2019
San Juan, Puerto Rico

Honorable Laura Taylor Swain
United States District Judge